

**** E-filed June 24, 2011 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GERD GOETTE,

No. C11-01631 HRL

Plaintiff,

**ORDER DENYING THE PARTIES
SEPARATE REQUESTS TO APPEAR
BY TELEPHONE AND ORDER RE:
DEADLINE FOR CONSENT OR
DECLINATION TO PROCEED
BEFORE A UNITED STATES
MAGISTRATE JUDGE**

v.

SIEMENS VENTURE CAPITAL, et al.,

Defendants.

[Re: Docket Nos. 6, 7]

Both Plaintiff's counsel and Defendants' counsel have submitted requests to appear by telephone at the Initial Case Management Conference set for June 28, 2011 at 1:30 p.m. Docket Nos. 6, 7. Both parties' counsel simply state that appearing by telephone would "accommodate scheduling conflicts and promote preservation of [their respective] resources." Docket No. 6 at 2; Docket No. 7 at 2.

The court finds good cause lacking, especially in light of the parties' failure to file a Joint Case Management Statement as required. See Docket No. 4. The parties' requests are DENIED.

The parties are also reminded that this civil case has been randomly assigned to a magistrate judge for all purposes including trial. Accordingly, all parties who have not yet done so shall, **no later than June 27, 2011**, file either (1) a Consent to Proceed before a United States Magistrate Judge or (2) a Declination to Proceed before a Magistrate Judge and Request for Reassignment to a

1 United States District Judge. See N.D. Cal. Civ. R. 73-1. The consent and declination forms are
2 available at the Clerk's Office and may also be obtained from the court's website at
3 <http://www.cand.uscourts.gov>.

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5 **IT IS SO ORDERED.**

6 Dated: June 24, 2011

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9 HOWARD R. LLOYD
10 UNITED STATES MAGISTRATE JUDGE
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C11-01631 HRL Notice will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.